

AMENDED IN ASSEMBLY APRIL 24, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 1063**

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**Introduced by Assembly Member Eggman**

February 22, 2013

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An act to amend Sections 6732, 8751, and 8772 of, and to add Section 8764.6 to, the Business and Professions Code, relating to surveyors and engineers.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1063, as amended, Eggman. Surveyors and engineers.

Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board of Professional Engineers and Land Surveyors in the Department of Consumer Affairs. Existing law prohibits a person from representing ~~themselves~~ *himself or herself* as an engineer or surveyor, as described by various titles, unless the person is licensed as an engineer or surveyor, as specified. Other existing law makes a violation of those prohibitions a misdemeanor.

This bill would additionally prohibit a person from using the title “city engineer,” “county engineer,” “city surveyor,” or “county surveyor,” unless the person is licensed as an engineer or surveyor, respectively, as specified.

By expanding the scope of existing law, the violation of which is a crime, this bill would impose a state-mandated local program.

Existing law provides for the filing of a record of survey by *a* licensed surveyor or licensed civil engineer with the county surveyor.

This bill would authorize a licensed surveyor to include additional information to be filed simultaneously, as a separate document, as specified, with a record of survey.

Existing law requires *that* any monument set by a licensed land surveyor or registered civil engineer to mark or reference a point on a property or land line shall be permanently and visibly marked or tagged with the certificate number of the surveyor or civil engineer setting it, as specified, or, if the monument is set by a public agency, ~~to~~ *it shall* be marked with the name of the agency and the political subdivision it serves.

This bill would require the monument to be marked by the surveyor or civil engineer, as specified, and to be marked with the name of the agency and the political subdivision it serves, if the monument is set by a *local* public agency, *or, if set by a state entity, to only be marked with the name of the state entity.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 6732 of the Business and Professions  
2     Code is amended to read:  
3     6732. It is unlawful for anyone other than a professional  
4     engineer licensed under this chapter to stamp or seal any plans,  
5     specifications, plats, reports, or other documents with the seal or  
6     stamp of a professional engineer, or in any manner, use the title  
7     “professional engineer,” “licensed engineer,” “registered engineer,”  
8     or “consulting engineer,” or any of the following branch titles:  
9     “agricultural engineer,” “chemical engineer,” “city engineer,”  
10    “civil engineer,” “control system engineer,” “county engineer,”  
11    “electrical engineer,” “fire protection engineer,” “industrial  
12    engineer,” “mechanical engineer,” “metallurgical engineer,”  
13    “nuclear engineer,” “petroleum engineer,” or “traffic engineer,”  
14    or any combination of these words and phrases or abbreviations  
15    thereof unless licensed under this chapter.

1 SEC. 2. Section 8751 of the Business and Professions Code is  
2 amended to read:

3 8751. No person shall represent himself or herself as, or use  
4 the title of, or any abbreviation or combination of the words in the  
5 title of, professional land surveyor, licensed land surveyor, land  
6 surveyor, city surveyor, county surveyor, land survey engineer,  
7 survey engineer, geodetic engineer, geomatics engineer, or  
8 geometronic engineer unless he or she is the holder of a valid,  
9 unsuspended, and unrevoked license.

10 SEC. 3. Section 8764.6 is added to the Business and Professions  
11 Code, to read:

12 8764.6. (a) A licensed surveyor or civil engineer may include  
13 additional information to be filed simultaneously with a record of  
14 survey. The additional information shall be in the form of a separate  
15 document, formatted according to the applicable County Recorder  
16 standards, with a statement that indicates its relationship to the  
17 record of survey; *and* describes conditions as of the date of  
18 recording; ~~and states that it is not intended to affect or alter the~~  
19 ~~record title interest.~~ The statement shall also contain a notation  
20 identifying the source of the information.

21 (b) The additional information may include any data necessary  
22 for the interpretation of the various items and locations of the  
23 points, lines, and areas shown on the record of survey map, or for  
24 the identification of the survey or surveyor, as may be determined  
25 by the civil engineer or land surveyor preparing the record of  
26 survey. Additional information may include, but is not limited to,  
27 unfiled maps, calculations, field notes, photographs, memoranda,  
28 diagrams, reports, letters, emails, oaths, and diaries.

29 SEC. 4. Section 8772 of the Business and Professions Code is  
30 amended to read:

31 8772. (a) (1) Any monument set by a licensed land surveyor  
32 or registered civil engineer to mark or reference a point on a  
33 property or land line shall be permanently and visibly marked or  
34 tagged with the certificate number of the surveyor or civil engineer  
35 setting it, each number to be preceded by the letters "L.S." or  
36 "R.C.E.," respectively, as the case may be. ~~If~~

37 (2) *If the monument is set by a local public agency, it paragraph*  
38 *(1) shall apply, and the monument* shall also be marked with the  
39 name of the agency and the political subdivision it serves.

1     (3) *If the monument is set by a state entity, paragraph (1) shall*  
2     *not apply, and the monument shall be marked with the name of*  
3     *the state entity.*

4     (b) Nothing in this section shall prevent the inclusion of other  
5     information on the tag which will assist in the tracing or location  
6     of the survey records which relate to the tagged monument.

7     SEC. 5. No reimbursement is required by this act pursuant to  
8     Section 6 of Article XIII B of the California Constitution because  
9     the only costs that may be incurred by a local agency or school  
10    district will be incurred because this act creates a new crime or  
11    infraction, eliminates a crime or infraction, or changes the penalty  
12    for a crime or infraction, within the meaning of Section 17556 of  
13    the Government Code, or changes the definition of a crime within  
14    the meaning of Section 6 of Article XIII B of the California  
15    Constitution.